

RICHARD THOMAS  
MAYOR

LAUREN P. RAYSOR  
CORPORATION COUNSEL



ASSISTANT COUNSEL  
TICHINA JOHNSTON

LEGAL INVESTIGATOR  
MICHAEL V. LENTI

CITY OF MOUNT VERNON, NEW YORK  
DEPARTMENT OF LAW  
CITY HALL  
ONE ROOSEVELT SQUARE, MOUNT VERNON, NY 10550  
(914) 665-2366 • FAX (914) 665-9142  
WWW.CI.MOUNT-VERNON.NY.US

January 13, 2016

VIA CM/ECF

Honorable Judge Cathy Seibel  
United States Courthouse  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: Marrow v. The City of Mount Vernon et al. 14 CV 05473-CS-JCM

Dear Judge Seibel:

We represent the Defendants in the above-referenced matter and write to respectfully request a pardon for this delayed response.

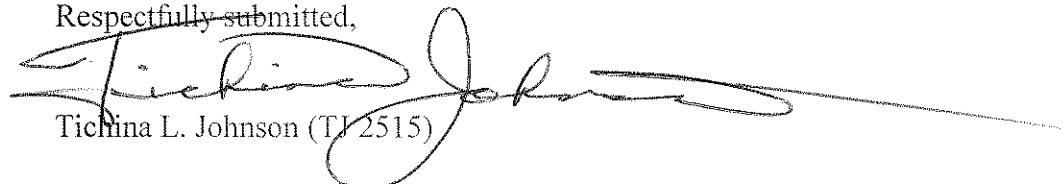
Please be advised that the last attorney handling this matter, Lee B. Gorson, Esq., is no longer employed with the City. Unfortunately, the Law Department only became aware of its failure to respond to Plaintiff's Amended Complaint and the need to advise the Court it was not moving upon Mr. Gorson's departure. After a cursory review of the file, it appears that there were discussions between Hina Sherwani, Esq., also no longer with the Law Department, and plaintiff's counsel, David Thompson, Esq., in which both parties stipulated to amendments to the Complaint on or about May 26, 2015. It appears that the City was awaiting Mr. Thompson's filing of a further amended complaint with the withdrawal of the negligent hiring/retention claim. Please see the attached emails. It is unclear whether there was any further communication between Ms. Sherwani and Mr. Thompson. The City did attempt to reach out to Mr. Thompson today and left a voicemail seeking a return call.

Due to unprecedented turn over in the Law Department, specifically the loss of seven attorneys within the last ten months and a new Corporation Counsel being appointed around the time this Answer/response was due, unfortunately, the City failed to file a timely response with the Court. However, it does appear that a Rule 26(a) disclosure was filed. Therefore, I sincerely request that the Court accept this explanation based on law office failure and allow the City to file an Answer to plaintiff's further amended complaint to the extent plaintiff intends to honor the stipulation from May 26, 2015.

Additionally, please be advised that the City will not seek to move for dismissal at this time.

Thank you for your consideration in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tichina L. Johnson', with a long horizontal flourish extending to the right.

Tichina L. Johnson (TJ 2515)

cc: (via CM/ECF and regular mail)

David A. Thompson, ESQ (DT3991)  
Stecklow Cohen & Thompson  
217 Centre Street, 6th Floor  
New York, New York, 10013